

## NINTH DAY

(Tuesday, January 23, 1945)

The Senate met at 11:00 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Metcalf
Brown	Moffett
Bullock	Moore
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

## Message from the Governor

The following message was received from the Governor and was read to the Senate:

January 22, 1945.

To the Members of the Forty-Ninth Legislature:

A considerable number of your membership have expressed a view that it would be better to submit the most pressing items of emergency appropriation for your consideration as emergency matters under the authority of Section 5 of Article 3 of the Constitution. The thought is quite generally expressed that it would be better to get these items out of the way as early as possible in order that attention might be given to the other matters already submitted to you as emergency legislation, such as redistricting the State for legislative purposes.

Accordingly, I submit as emergency matters, under the authority referred to, the subjects of increased appropriation for old age assistance; an increase in the salaries of State employees in the lower brackets; and, in this connection, I submit the

subject of amending Article 4359, Revised Civil Statutes, with reference to the time for issuance of warrants in payment of salaries of State employees.

I also submit the subject of an emergency appropriation for the State Department of Education. The request therefor appears in a letter from Honorable L. A. Woods, copy of which is attached hereto.

Respectfully submitted,

COKE R. STEVENSON,  
Governor of Texas.

(Copy)

State

Department of Education  
L. A. Woods, State Superintendent  
Austin 11, Texas

January 10, 1945.

Hon. Coke R. Stevenson,  
Governor of the State of Texas,  
Capitol

My dear Governor:

Because of a decided increase in the prices of material and labor as well as the additional demands made upon the Department of Education for public service due to war activity, it is imperative that it be granted an emergency appropriation in the sum of \$14,787.00. This amount will be needed in order that this Department may be able to function properly for the remainder of this fiscal year. Because of the urgency of the situation, I am therefore requesting that you submit this matter to the Legislature in a special message in order that we may have these funds available in thirty or sixty days.

Very truly yours,

(Signed) L. A. WOODS,  
State Superintendent of Public  
Instruction.

LAW/ajh

## Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
January 22, 1945.

Hon. John Lee Smith,  
President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following Bills and Resolutions:

S. C. R. No. 5, Providing for a joint session honoring the Republic of Mexico and Honorable P. L. Ander-

son in the presentation of the Order of the Aztec Eagle, etc.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives

### Senate Bills on First Reading

The following bills were introduced, read first time, and referred to the committees indicated:

By Senator Graves:

S. B. No. 59, A Bill to be entitled An Act providing for the addition of a new Article to be numbered 2960b, immediately following Article 2960a, of the Revised Civil Statutes of the State of Texas of the Year 1925 Codification, under Chapter 5 of Title 50 thereof, entitled Elections, which shall exempt all nurses and members of the Army, the Navy, or any other branch or component part of the armed forces of the United States, while actually in such service, either in time of a nationally declared emergency, or when the United States is engaged in fighting a war, now, or at any time after the passage of this Act, from payment of or holding a receipt for payment of any poll tax as a prerequisite to vote in any election held under the authority of the laws of this State whatsoever, if not otherwise disqualified as an elector; subject however to the same provisions required in preceding Article 2960a as to the obtaining of a Certificate of Exemption by reason of such service in the armed forces, to qualify further as an elector; and declaring an emergency.

To Committee on Privileges and Elections.

By Senator Spears:

S. B. No. 60, A Bill to be entitled An Act to amend Article 2980 of the Revised Civil Statutes of 1925, to eliminate the requirement that candidates for presidential electors shall have their names printed on the ticket, and to provide in lieu thereof that the names of the candidates for President and Vice-President, respectively, of the Political Parties shall appear on the official ballot at the heads of their respective tickets, and declaring an emergency.

To Committee on Privileges and Elections.

By Senator Stanford:

S. B. No. 61, A Bill to be entitled

An Act accepting moneys, funds, gifts, or other assets authorized by Federal Statute and tendered to the State of Texas in lieu of taxes as a gift by the Federal Public Housing Authority, or any other Federal Agency and applying to all such tenders whether made in the past or in the future, directing the Comptroller to execute such instruments that may be proper and necessary in taking this money into account in the State Treasury and depositing such moneys into the State General Revenue Fund, and declaring an emergency.

To Committee on Civil Jurisprudence.

By Senator Moffett:

S. B. No. 62, A Bill to be entitled An Act making appropriations to pay miscellaneous claims out of any moneys in the Confederate Pension Warrant Fund and the Motor Fuel Tax Fund not otherwise appropriated; requiring approval of Comptroller and Attorney General; and declaring an emergency.

To Committee on Finance.

By Senator Moore:

S. B. No. 63, A Bill to be entitled An Act to amend Section 4, Chapter 204, of the acts of the Regular Session of the 48th Legislature [relating to juvenile courts and their jurisdiction in certain counties]; and declaring an emergency.

To Committee on Civil Jurisprudence.

By Senator Winfield:

S. B. No. 64, A Bill to be entitled An Act amending Chapter 11, Section 1, Acts of the Third Called Session of the 41st Legislature, 1929, [relating to terms of court in the 112th Judicial District]; providing a savings clause; and declaring an emergency.

To Committee on Civil Jurisprudence.

By Senator Sulak:

S. B. No. 65, A Bill to be entitled An Act providing for the protection of unborn children and the public health by requiring premarital examinations for syphilis; providing for examinations and standard serologic tests for applicants for marriage, and physician's certificates and laboratory statements with respect thereto; providing for wavering of

medical examination, under certain conditions; defining a standard serologic test for syphilis; and providing penalties for the violation thereof.

To Committee on Public Health.

By Senator Sulak:

S. B. No. 66, A Bill to be entitled An Act providing for the protection of unborn children and the public health by an act requiring standard serologic blood tests for syphilis on pregnant women; defining a standard serologic test; providing for its administration; providing a saving clause and prescribing a penalty.

To Committee on Public Health.

By Senators Aikin, Bullock, Hazlewood, Moffett, Crawford and Lane:

S. B. No. 67, A Bill to be entitled An Act providing for and regulating appropriations for moneys in the State Treasury not otherwise appropriated to supplement local funds for the support, maintenance, operation, and improvement of the Public Junior Colleges of Texas as named in this Act; providing all funds allocated under the provisions of this Act with the exception of those necessary for paying the costs of audits as provided herein shall be used exclusively for the purpose of paying salaries of the instructional forces of the several institutions; providing for an annual appropriation of Three Hundred Forty-Three Thousand and Eight Hundred Dollars (\$343,800.00) for each of the fiscal years beginning September 1, 1945, and September 1, 1946, respectively; and for allocation thereof; determining the eligibility of a Public Junior College and providing for collection of certain fees from students; defining the term "full-time student" and excepting certain students; providing for disposition of unused funds; providing no funds shall be paid to any institution under the provisions of this Act until payment has been approved by the State Auditor after he has audited the books and providing the cost of auditing the books for the institution shall be paid out of the funds allocated herein; and declaring an emergency.

To Committee on Finance.

By Senator Lanning:

S. B. No. 68, A Bill to be entitled An Act to appropriate Twelve Hundred Twenty-Eight Dollars and

Ninety Cents (\$1,228.90) out of any money in the State Treasury, not otherwise appropriated, to pay the Railway Express Agency, and declaring an emergency.

To Committee on Finance.

#### Communication from Secretary of Finance Commission of Texas

The President laid before the Senate, and directed the Secretary to read the following communication:

January 22, 1945

Honorable Bob Barker,  
Secretary of the Senate,  
Senate Chamber,  
Austin, Texas.

Dear Mr. Barker:

You are advised that on March 11, 1944, the Finance Commission of Texas elected Mr. H. A. Jamison Banking Commissioner of Texas. The law requires that such election shall be by and with the advice and consent of the Senate. The election having been held at a time when the Senate was not in session it thus becomes necessary to complete the requirements of the law in this respect that the election of Mr. Jamison be confirmed by the Senate.

We have heretofore submitted this proposition to the Secretary of State, who advises us by phone today that it should be accomplished not through his office, but through direct submission to the Senate. We, therefore, submit you herewith, as evidence of the election of Mr. Jamison as Banking Commissioner of Texas, a certified copy of the applicable portion of the minutes of the meeting at which he was so elected, and we ask that you submit this evidence to the Senate for the required confirmation.

In the event it should be necessary for evidence in any other form or for additional evidence to be submitted to accomplish the purpose we will appreciate you so advising us and of the nature of the evidence required.

Yours very truly,

L. S. JOHNSON,

Deputy Commissioner and Secretary of the Finance Commission of Texas

The communication was read and was referred to the Committee on Nominations of the Governor.

**Senate Concurrent Resolution 4**

The President laid before the Senate for consideration at this time:

S. C. R. No. 4, Relating to the maintenance of the San Jacinto State Monument.

The resolution was adopted.

**Oath of Office Administered to Temporary Sergeant-at-Arms**

Senator Aikin announced the selection by the employment committee of Boyd Rhea as temporary Sergeant-at-Arms of the Senate in accordance with the provisions of the caucus report (S. R. No. 1, as amended).

The official oath of office then was administered to Mr. Rhea by the President.

**Notice of Executive Session**

Senator Winfield gave notice that he would, on tomorrow, call for an executive session of the Senate, to be held immediately after completion of the morning call on that day.

**Adjournment**

On motion of Senator Brown, the Senate, at 11:20 o'clock a. m., adjourned until 11:00 o'clock a. m. tomorrow.

**APPENDIX****Communication from Mrs. Ruth C. Bailey**

Palestine, Texas,  
January 22, 1945

Mr. Bob Barker,  
Secretary of Senate,  
Austin, Texas,

Dear Uncle Bob:

We received copies of the Resolution in memory of my father along with your very nice letter today. Please express to the members of the Texas Senate our sincere appreciation for their kindness.

It means a great deal to us to know how much Clay Cotten meant to his associates. To those of us who loved him so dearly this is a comfort.

Sincerely yours,

RUTH COTTEN BAILEY

**TENTH DAY**

(Wednesday, January 24, 1945)

The Senate met at 11:00 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**Reports of Standing Committees**

Senator Lanning submitted at this time the following reports:

Austin, Texas,  
January 18, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred S. B. No. 17 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed but not otherwise printed.

LANNING, Chairman.

Austin, Texas,  
January 23, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Finance to whom was referred H. B. No. 3 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

LANNING, Chairman.